OPINION 1251

DICRANODONTA WOODS, 1899 (BIVALVIA, CUCULLAEIDAE): DESIGNATION OF TYPE SPECIES

RULING. — (1) Under the plenary powers all designations of type species hitherto made for the nominal subgenus *Dicranodonta* Woods, 1899 are hereby set aside and *Cucullaea benniworthensis* Kelly, 1978 is hereby designated as type species of that subgenus.

(2) The subgeneric name *Dicranodonta* Woods, 1899 (gender: feminine), type species, by designation under the plenary powers in (1) above, *Cucullaea benniworthensis* Kelly, 1978, is hereby placed on the Official List of Generic Names in Zoology with the Name Number 2194.

(3) The specific name *benniworthensis* Kelly, 1978, as published in the binomen *Cucullaea benniworthensis* (specific name of type species of *Dicranodonta* Woods, 1899) is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2859.

HISTORY OF THE CASE Z.N.(S.)2227

An application from Dr S. R. A. Kelly (then of *Goldsmiths College, London*) for the designation of a type species for *Dicranodonta* Woods, 1899 was first received on 15 July 1977. After an exchange of correspondence it was sent to the printer on 16 February 1978 and published on 31 October 1978 in *Bull. zool. Nom.* vol. 35, pp. 127–128. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials, to eight general serials, three malacological and two palaeontological serials.

The application was supported by Mr A. A. Morter (*Institute of Geological Sciences, London*). Dr Colin Forbes (*Sedgwick Museum, Cambridge*) wrote to point out that the registered number of the specimen cited by Dr Kelly as the holotype of *C. benniworthensis* (the original of Woods, 1899, pl. 10, fig. 14) was Sedgwick Museum No. 5. 11221, not B. 11222, as cited by Dr Kelly. Dr Kelly replied (*Bull. zool. Nom.* vol. 36, p. 201) that he had indeed associated the wrong number and illustration but that he had intended the original of Woods, pl. 10, fig. 11a–c—B.11222—as the holotype. This was referred to in the voting paper. There were no other comments.

DECISION OF THE COMMISSION

On 22 November 1982 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1982)24, for or against the proposals set out in *Bull. zool. Nom.* vol. 35, p. 128,

as corrected in vol. 36, p. 201. At the close of the voting period on 22 February 1983 the state of the voting was as follows:

Affirmative Votes — twenty (20) received in the following order: Melville, Holthuis, Brinck, Uéno, Mroczkowski, Willink, Corliss, Halvorsen, Schuster, Kraus, Alvarado, Trjapitzin, Hahn, Cocks, Starobogatov, Bayer, Heppell, Dupuis, Cogger, Ride

Negative Votes—Savage.

Sabrosky abstained. Welch returned a late affirmative vote. Bernardi was on leave of absence. No voting papers were returned by Binder and Lehtinen.

The following comments were returned by members of the Commission with their voting papers:

Sabrosky: 'I sympathise with the desire to clarify the type species of *Dicranodonta* under Article 70, but I cannot approve this loose proposal of *Cucullaea benniworthensis*. Where is the "statement that purports to give characters differentiating the [specific] taxon" (Article 13a(i))?'

Savage: 'Without some indication of usage it is hard to see why this subgeneric name needs to be preserved. Why not let the original designation of *donningtonensis* stand? It seems to me that in cases involving Article 70a the applicant needs to show the Commission how stability will best be served. In this case we have no data regarding the effect of following alternatives (i) or (iii).'

ORIGINAL REFERENCES

The following are the original references for the names placed on Official Lists by the ruling given in the present Opinion:

benniworthensis, Cucullaea, Kelly, 1978, *Bull. zool. Nom.* vol. 35, p. 128, vol. 36, p. 201

Dicranodonta Woods, 1899, Cretaceous Lamellibranchia, vol. 1, p. 53, *Palaeontogr. Soc. London.*

CERTIFICATE

I hereby certify that the votes cast on V.P.(82)24 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1251.

R. V. MELVILLE
Secretary
International Commission on Zoological Nomenclature
London
7 April 1983